UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,	§	
	§ 8	0.50
v	§	SA20-MJ-959
VICTOR ALBERTO MUZQUIZ-SALUN	§ §	
	§ §	

GOVERNMENT'S MOTION FOR DETENTION HEARING, FOR DETENTION, AND FOR CONTINUANCE

TO THE UNITED STATES MAGISTRATE JUDGE:

The Government, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, and pursuant to 18 U.S.C. § 3141, et. seq, moves for pretrial detention of Defendant; for a detention hearing regarding the above-named Defendant; and for a continuance of said hearing. In support of these motions, the Government shows as follows:

I. MOTION FOR DETENTION HEARING

	The Government requests that a hearing be set regarding detention pursuant to 18 U.S.C. §
3142(f), as this matter involves one of more of the following:
	an offense with a maximum sentence of life imprisonment or death
	a qualifying controlled substance offense with a maximum sentence of 10 years or more
\boxtimes	a felony offense that involves the possession or use of a firearm (including but not limited to felon in possession of a firearm), destructive device, or any other dangerous weapon
	a felony offense that is a crime of violence as defined under 18 U.S.C. § 3156(a)(4) to include a felony offense under 18 U.S.C. chapter 77, 109a, 110 or 117
	a felony offense that involves a minor victim
	an offense that involves failure to register as a sex offender under 18 U.S.C. § 2250
\boxtimes	a serious risk that the Defendant will flee
\boxtimes	a serious risk that the Defendant will obstruct or attempt to obstruct justice

II. MOTION FOR DETENTION

Grounds for detention. The Government further requests that Defendant be detained pending trial in this case pursuant to 18 U.S.C. §§ 3141(a) and 3142(e), because no condition or combination of conditions will reasonably assure:

Defendant's appearance as required

the safety of any other person or the community

III. MOTION FOR CONTINUANCE

Three-day continuance. Pursuant to 18 U.S.C. § 3142(f), the Government moves for a three-day continuance of the detention hearing in the matter.

IV. NOTICE OF REBUTTABLE PRESUMPTION IN FAVOR OF DETENTION

Presumption of detention. In addition, the Government gives notice that 18 U.S.C. § 3142(e)(3) establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community, because there is probable cause to believe that Defendant committed:

a qualifying controlled substance offense with a maximum sentence of 10 years or more an offense under 18 U.S.C. § 924(c)

an offense under 18 U.S.C. chapter 77 for which a maximum term of imprisonment of 20 years or more is prescribed

a qualifying offense involving a minor victim

V. NOTICE OF APPLICABILITY OF TEMPORARY DETENTION OF UP TO 10 DAYS

	Temporary detention. The Government gives notice, pursuant to 18 U.S.C. § 3142(d), that		
Defend	lant is subject to temporary detention of up to ten days, as Defendant may flee or pose a danger		
to any other person or the community, and Defendant was:			
	at the time the offense was committed, on release pending trial for a felony offense		
	at the time the offense was committed, on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense		
	at the time the offense was committed, on probation or parole for an offense		
\boxtimes	and is not, a United States citizen or not admitted lawfully for permanent residence		

Respectfully submitted,

JOHN F. BASH United States Attorney

/S/

BY:

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UNITED STATES MAGISTRATE COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,	
Plaintiff,	SA20- MJ-959
v. VICTOR ALBERTO MUZQUIZ-SALUM Defendant.	
OR	EDER
On this date the Court considered the G	overnment's Motion to Detain Defendant, and the
Court having reviewed said motion enters the fo	ollowing Orders:
IT IS HEREBY ORDERED that the	e Defendant be temporarily detained pending a
hearing on the Government's Motion and until	further Order of the Court, pursuant to 18 USC
3142(f).	
IT IS FURTHER ORDERED t	hat Defendant's bond hearing is set for
at a.m.	/ p.m.
SIGNED AND ENTERED on:	
	ENRY J. BEMPORAD NITED STATES MAGISTRATE JUDGE